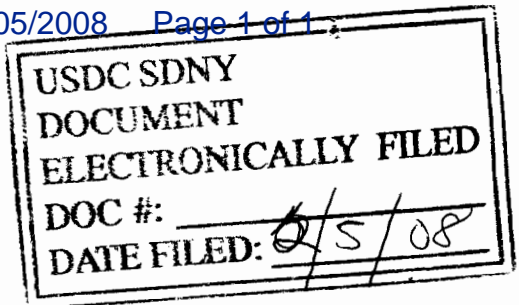


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



-----X
:
ANTHONY ARMSTRONG,

Plaintiff,

- against -

THE CITY OF NEW YORK, et al.,

Defendants.
-----X

SHIRA A. SCHEINDLIN, U.S.D.J.:

ORDER

07 Civ. 5547 (SAS)

For the reasons stated on the record at today's conference,
defendants' motion to dismiss is denied. The Clerk of the Court is directed to
close this motion (Document # 11).

SO ORDERED:

Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
February 5, 2008